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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/573,084

03/23/2006

Marcellinus P.C.M. Krijn

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05/14/2008

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

ANDERSON, GUY G

ART UNIT

PAPER NUMBER

2883

MAIL DATE

DELIVERY MODE

05/14/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/573,084	KRIJN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Guy G. Anderson	2883	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 March 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-20 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                          | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Election/Restrictions***

- 1.1 This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

#### **Switchability**

Species A: A backlight for a display device WITH a switchable diffuser for switching between 2D and 3D mode as shown in Fig 8, page 5 line 13, and at pages 8-9, lines 29-31 and 1-5 respectively of the specification.

Species B: A backlight for a display device WITHOUT a switchable diffuser for switching between 2D and 3D mode.

#### **Groove Layouts**

Species C: A backlight for a display device comprising grooves that are skewed as shown in Fig. 4, page 5 line 4, and at pages 7-8, lines 17-32 and 1-5 respectively of the specification.

Species D: A backlight for a display device comprising grooves that are segmented and staggered as shown in Fig. 6, page 5 line 8 and at page 8, lines 17-21 of the specification.

Species E: A backlight for a display device comprising grooves that are straight as shown in Fig. 1, page 4, line 28 and at pages 5-6, lines 19-32 and 1-18 respectively of the specification.

#### **Groove/Lens Type and Filler Material**

Species F: A backlight for a display device comprising groove geometry as shown in Fig. 7A, page 5 line 10-12.

Species G: A backlight for a display device comprising groove geometry as shown in Fig. 7B, page 5 line 10-12.

Species H: A backlight for a display device comprising groove geometry as shown in Fig. 7C, page 5 line 10-12.

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Species I: A backlight for a display device comprising a groove geometry as shown in Fig. 7D, page 5 line 10-12.

Species J: A backlight for a display device comprising groove geometry as shown in Fig. 7E, page 5 line 10-12.

Species K: A backlight for a display device comprising groove geometry as shown in Fig. 7F, page 5 line 10-12.

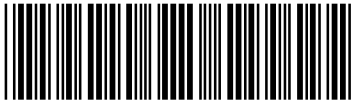
Species L: A backlight for a display device comprising no groove geometry and a micro-structured foil laminated on the face of the substrate as shown in Fig. 9, page line, and at page 10, lines 1-8 of the specification.

- 1.2 Applicant is required, in reply to this action, to elect a single species from the group of Species A - B AND a single species from the group of Species C - E AND a single species from the group of Species F-L for a total of THREE species to which the claims shall be restricted if no generic claim is finally held to be allowable. **The reply must also identify the claims readable on the elected species, including any claims subsequently added.** An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.
- 1.3 Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).
- 1.4 The following claim(s) are generic: presently, no claim is considered to be generic.
- 1.5 The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species cited above contain mutually exclusive structural limitations for which no known unity of invention exists. A determination of patentability for any one of the disclosed species would not confirm patentability of any other disclosed species.

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- 1.6 Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.
- 1.7 The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.
- 1.8 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guy G. Anderson whose telephone number is 571.272.8045. The examiner can normally be reached on Tuesday-Saturday 0900-2200.
- 1.9 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on 571.272.2415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
- 1.10 Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.
- 1.11 Date and signature of assistant examiner:

/Guy G Anderson/ Examiner, Art Unit 2883 May 6, 2008	/Frank G Font/ Supervisory Patent Examiner, Art Unit 2883
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<div><b>Application Number</b></div> <div></div>	<b>Application/Control No.</b>	<b>Applicant(s)/Patent under Reexamination</b>	
	10/573,084	KRIJN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Guy G. Anderson	2883	